

273.439 Powers of administering boards.

- (1) The governing board of a private, nonprofit community action agency shall have the same legal powers and responsibilities granted under its state charter as the board of directors of any private, nonprofit corporation incorporated in the Commonwealth of Kentucky including the power to enter into legally binding agreements with any federal, state, or local agency, or with any private funding organization for the purpose of administering programs or providing services.
- (2) In addition to these general corporate powers which all private, nonprofit corporations possess, the following are specific powers which a governing board of a private nonprofit community action agency shall possess:
 - (a) To appoint the executive director of the community action agency;
 - (b) To determine major personnel, organization, fiscal, and program policies;
 - (c) To determine overall program plans and priorities for the community action agency, including provisions for evaluating progress against performance;
 - (d) To make final approval of all program proposals and budgets;
 - (e) To enforce compliance with all conditions of all grants contracts;
 - (f) To oversee the extent and the quality of the participation of the poor in the programs of the community action agency;
 - (g) To determine rules and procedures for the governing board; and
 - (h) To select the officers and the executive committee, if any, of the governing board.
- (3) When a political subdivision is designated as the community action agency the designating officials possess those powers contained in subsection (2)(b) through (e) of this section and share with the community action board the power contained in subsection (2)(a) of this section. The designating officials may delegate the powers contained in subsection (2)(b) through (d) only to the community action board.
- (4) When a political subdivision is designated as the community action agency, it shall administer its program through the community action board. The community action board shall have the following powers:
 - (a) To participate jointly and to concur formally in the selection of the executive director of the community action agency;
 - (b) To exercise all powers which the designating officials choose to delegate to the community action board;
 - (c) To oversee the extent and the quality of the participation of the poor in the programs of the community action agency;
 - (d) To determine rules and procedures for the community action board; and
 - (e) To select the officers and the executive committee, if any, of the community action board.
- (5) When a political subdivision is designated as the community action agency, the community action board shall deliberate upon the following matters and submit its written recommendations to the designating officials before the designating

officials render a final decision unless the designating officials have specifically delegated these powers:

- (a) Determination of major personnel, organization, fiscal, and program policies;
- (b) Determination of overall program plans and priorities;
- (c) Approval of all program proposals and budgets;
- (d) Approval of all evaluation and assessment studies and reports; and
- (e) Approval of all arrangements for delegating the planning, conducting, or evaluating a component of the work program.

Effective: July 15, 1982

History: Created 1982 Ky. Acts ch. 453, sec. 6, effective July 15, 1982.